

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

JODIE NEVILS,) ED98538
)
Plaintiff/Appellant,) Appeal from the Circuit Court
) of St. Louis County
v.)
)
GROUP HEALTH PLAN, INC. and) Honorable Thea A. Sherry
ACS RECOVERY SERVICES, INC.,)
)
Defendants/Respondents.) Filed: December 26, 2012

Jodie Nevils (Appellant) appeals from the trial court’s summary judgment in favor of Group Health Plan, Inc. (GHP) and ACS Recovery Services, Inc. (ACS) on Appellant’s petition alleging violation of the Missouri Merchandising Practices Act; unjust enrichment; conversion, and seeking injunctive relief.

AFFIRMED.

Division One Holds: The Federal Employee Health Benefits Act preempts Missouri’s anti-subrogation rule in that GHP’s right to subrogation and reimbursement of medical bill payments from its federal employee insureds’ third-party tort claim awards and settlements relates to the nature, provision or extent of coverage or benefits provided by GHP to its insureds.

Opinion by: Sherri B. Sullivan, J. Clifford H. Ahrens, P.J., and Glenn A. Norton, J., concur.

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<p style="text-align:center">THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
