



For Immediate Release

Contact: Cara Smith

312-814-3118

877-844-5461 (TTY)

csmith@atg.state.il.us

December 11, 2006

**MADIGAN LAWSUIT ALLEGES COMPANY MISLEADS
CONSUMERS TO GIVE BLOOD FOR ALLERGY TESTING
BOOTHS AT COUNTY FAIR AND SENIOR HEALTH FAIRS LEAD TO
FRAUD**

Chicago — Attorney General Lisa Madigan today filed a lawsuit alleging that Paul Kocourek and Progressive Care of Illinois, Inc., misled consumers at county fairs and local senior health fairs into undergoing blood tests to determine if they suffered from allergies.

Madigan's lawsuit, filed in Cook County Circuit Court, charges Paul Kocourek, doing business as American Institute of Allergy, a dissolved Arizona corporation, and Progressive Care of Illinois, Inc., an Illinois corporation, with multiple violations of the Illinois Consumer Fraud and Deceptive Business Practices Act.

Specifically, the lawsuit alleges that Kocourek and Progressive Care of Illinois set up booths at local county and senior health fairs and urge consumers to have their blood tested to determine if they suffer from allergies. The lawsuit alleges that Kocourek and Progressive Care of Illinois failed to inform consumers about the true cost of the allergy tests which range from \$1,568.00 to \$1,681.00. The lawsuit further alleges that the defendants made misrepresentations to consumers that Progressive Care of Illinois would (1) only charge the cost of the test to the consumers' insurance companies, (2) accept the consumers' insurance companies payments as payment in full, and (3) mail the allergy test results directly to the consumers' homes within 4 – 6 weeks.

However, according to the complaint, after drawing blood from consumers and billing their insurance companies, Kocourek and Progressive Care of Illinois never provided consumers with allergy test results. Additionally, the lawsuit alleges that in one instance, the defendants represented to a consumer that they would not bill her insurance, but did so anyway.

“These defendants misled consumers to believe that they were giving their blood in an effort to obtain information about any allergies they might have,” Madigan said. “Unfortunately, the consumers only lost their blood, not their allergies.”

The lawsuit asks the court to prohibit the defendants from selling allergy tests and failing to provide test results, in violation of Illinois' consumer protection

laws. In addition, the lawsuit asks the court to assess a civil penalty for each violation of the law and an additional penalty for each violation found to have been committed with the intent to defraud.

Assistant Attorney General Judith Parker is handling the case for the Attorney General's Health Care Bureau.

-30-

[Return to December 2006 Press Releases](#)