



Attorney General Doug Peterson

News Release

FOR IMMEDIATE RELEASE
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Attorney General Peterson and Department of Health and Human Services Warn: Stop Endangering the Public with Unsubstantiated Claims about COVID-19 Testing

LINCOLN - Nebraska Attorney General Doug Peterson today announced that his office is sending warning letters to healthcare providers and other businesses making deceptive or scientifically unsupported claims about their ability to test for coronavirus disease (COVID-19). Specifically, the Attorney General and Nebraska State Epidemiologist Dr. Tom Safranek, are concerned that those offering antibody (or serological) tests for COVID-19 are overstating the efficacy of the tests.

According to the Centers for Disease Control and Prevention (CDC), "serologic test results have limitations that make them less than ideal tools for diagnosing people who are sick. Depending on when someone was infected and the timing of the test, the test may not find antibodies in someone with a current COVID-19 infection." Similar statements have been made publicly by the Food and Drug Administration (FDA).

While commercially manufactured tests that check for COVID-19 antibodies in individuals are becoming increasingly available for use by healthcare providers, the FDA is warning that the results of these tests come with a series of disclosures. One of those disclosures is that "[p]ositive results may be due to past or present infection with non-SARS-CoV-2 coronavirus strains, such as coronavirus HKU1, NL63, OC43, or 229E." Laboratories and providers using serology tests should carefully study the manufacturer's guidance documents for a particular test and understand the purpose and the limitations of any individual test product.

In response, Attorney General Peterson warned today, "I will aggressively pursue anyone who misrepresents the effectiveness of these tests or seeks to profit from Nebraskans' uncertainty during the COVID-19 pandemic. Those making unsubstantiated claims about their products and services are violating Nebraska's consumer protection statutes and, in the process, endangering the public health."

Attorney General Peterson reminds Nebraskans that he and his staff are diligently monitoring and investigating consumer complaints related to COVID-19. Consumers are encouraged to visit www.protectthegoodlife.nebraska.gov for additional tips for protecting themselves during the COVID-19 crisis.

Consumers should file a [complaint](#) through the Attorney General's website or send an email to ago.consumer@nebraska.gov with information about misleading advertising campaigns regarding COVID-19 tests or treatments.

For information on the spread or treatment of coronavirus disease (COVID-19), please visit the [Nebraska Department of Health and Human Services](#) or [CDC](#).

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