

[By Eric Lipton](#)

A Vermont lawmaker on Wednesday introduced legislation that would repeal language passed into law in early January that benefits a California-based biotechnology company, saying the deal "confirms the American public's worst suspicions of how Congress operates."

The bill introduced by Representative Peter Welch, Democrat of Vermont, would eliminate the two-year delay in Medicare price restraints that Amgen, of Thousand Oaks, Calif., sought as part of the legislation to avert the so-called fiscal cliff. The provision protects certain oral drugs, including Amgen's Sensipar, from Medicare price controls, costing the federal government perhaps as much as \$500 million in the coming two years.

This special protection, first detailed in The New York Times, was supported by the two top members of the Senate Finance Committee — Senator Max Baucus, Democrat of Montana, and Senator Orrin G. Hatch, Republican of Utah — who are major recipients of campaign contributions from Amgen and its employees.

Aides for the senators, and a spokeswoman for Amgen, said the delay in the price controls was necessary to protect kidney dialysis patients, because so many other changes are already taking place in the way Medicare covers this care. They dismissed any suggestion that the provision was related to political contributions, saying the change was good public policy.

"Patient access to necessary treatments would be compromised," Kelley Davenport, an Amgen spokeswoman, said in a written statement Wednesday, defending the provision and opposing any repeal.

But critics called the provision an unnecessary giveaway to Amgen.

"As the nation's economy teetered on the edge of a Congressional-created fiscal cliff, lobbyists for a private, for-profit company seized an opportunity to feed at the public trough," Mr. Welch

said in a statement issued Wednesday announcing the plan to repeal the provision. "Without scrutiny or debate, the American taxpayer was stuck with the \$500 million tab. This special interest provision should have stood on its own merits with an up or down vote. It's no wonder cockroaches and root canals are more popular than Congress."

Ms. Davenport defended the company's behind-the-scenes push to secure the provision, which Amgen has acknowledged should help sales of Sensipar.

"Our 2012 lobbying efforts and expenditures reflect Amgen's continued advocacy efforts to provide patient access to and advance the coverage of existing and future innovative products," she said in a statement last week.

Mr. Welch, the chief deputy whip for House Democrats, lined up three co-sponsors for the legislation, including one Republican, Richard Hanna, of New York. But the repeal of the provision has little chance of becoming law unless a much larger number of lawmakers sign on to the effort, and then move to attach the repeal to some other piece of related legislation moving through the House.