

[By Arthur Delaney](#)

A bipartisan proposal in the U.S. House of Representatives would take back a drug company favor tucked into the legislation that averted the so-called fiscal cliff earlier this month.

A little-noticed part of the bill delays a set of Medicare price constraints, the New York Times reported on Saturday. The restraints affect a particular class of drug that includes a kidney dialysis pill manufactured by Amgen, which lobbied heavily for the provision. Amgen told the Times that the provision would ensure "quality of care" for dialysis patients.

"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," Rep. Peter Welch (D-Vt.) said in a statement.

The provision will cost Medicare \$500 million over two years. Welch introduced a bill on Wednesday that would restore the restraints. Reps. Richard Hanna (R-N.Y.), Jim Cooper (D-Tenn.) and Bruce Braley (D-Iowa) co-sponsored Welch's bill.

"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," Welch said. "It's no wonder cockroaches and root canals are more popular than Congress."

The drug provision was one of many items included in the fiscal cliff deal unrelated to the major tax issues at hand. The legislation's best-known purpose was to avert hundreds of billions of dollars' worth of automatic spending cuts and tax increases. It also saved a handful of tax benefits for financial firms and NASCAR, along with a milkbone for the dairy industry.

Citing a Government Accountability Office report, Amgen spokesperson Kelley Davenport said the two-year delay would give the Centers for Medicare & Medicaid Services time to develop metrics to ensure quality care for patients.

"Amgen supports the current provision to delay including oral-only medications in the Medicare dialysis prospective payment system," Davenport said. "Including oral-only medications in the payment system at the same time that the bundle is being rebased would have been disruptive to quality patient care."