



December 19, 2012

**MADIGAN: AMGEN TO PAY NEARLY \$2 MILLION FOR DEFRAUDING ILLINOIS MEDICAID PROGRAM*****Attorney General Announces Settlement with Amgen Inc. over Kickbacks, Illegal Marketing of Drugs that Defrauded State & Federal Health Care Programs***

**Chicago** — Attorney General Lisa Madigan joined her state counterparts across the country and the federal government today to announce a \$612 million settlement with the pharmaceutical company Amgen Inc. The settlement resolves allegations that Amgen illegally promoted six of its drugs to defraud state and federally funded health care programs, including \$1.7 million in false claims submitted to the Illinois Medicaid program.

The states and the federal government alleged that Amgen offered kickbacks to medical professionals for pushing Medicaid patients to use the drugs Aranesp, Enbrel, Epogen, Neulasta, Neupogen and Sensipar, which are primarily used by older patients. The states also alleged Amgen illegally marketed and promoted Aranesp, Enbrel and Neulasta for medical uses not approved by the Food and Drug Administration (FDA).

"Amgen's use of taxpayer dollars to influence what doctors prescribed created significant risks for vulnerable patients in Illinois' Medicaid program," Madigan said.

Under the settlement, Amgen will pay \$612 million in civil damages and penalties to compensate Medicaid, Medicare, and various federal health care programs for harm suffered as a result of its conduct. Amgen also pled guilty to federal criminal charges related to drug labeling and FDA reporting. The company must also enter into a Corporate Integrity Agreement with the U.S. Department of Health and Human Services' Office of the Inspector General that will closely monitor the company's future marketing and sales practices.

Specifically, the states and federal government alleged that Amgen:

- illegally marketed the drugs Aranesp, Enbrel and Neulasta;
- illegally offered or paid kickbacks to medical personnel for pushing certain drugs to Medicaid patients;
- knowingly reported inaccurate Average Sales Prices for Aranesp, Epogen, Neulasta and Neupogen;
- knowingly reported inaccurate Best Prices and Average Manufacturers Price for the six drugs by failing to include payments to health care providers in exchange for their purchase of Amgen products in violation of the Medicaid Rebate Statute.

This settlement is based on 10 whistleblower actions brought by private individuals pursuant to state and federal false claims acts and filed in the U.S. District Court for the District of Massachusetts, the U.S. District Court for the Eastern District of New York and the U.S. District Court for the Western District of Washington.

Assistant Attorney General Joseph Chervin handled this case on behalf of Madigan's Medicaid Fraud Unit and participated in the National Association of Medicaid Fraud Control Units team that conducted the investigation with the federal government and settlement negotiations with Amgen.

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