



California State Board of Pharmacy

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www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency

Department of Consumer Affairs

Gavin Newsom, Governor



Cease and Desist Order

Date: June 9, 2025

Permit No.: Unlicensed

Names: DrCatalyst

Address: 3100 Carr 199, STE 202, San Juan, 00926, PR 00926-7660, United States

Authority for this Action

Business and Professions Code Section 4316, subdivision (a), states, the board, through its executive officer, is authorized to issue a cease-and-desist order for operating any facility under this chapter that requires licensure or for practicing any activity under this chapter that requires licensure without obtaining that licensure. Subdivision (b) of that section provides that, whenever the board issues a cease-and-desist order pursuant to subdivision (a), the board shall immediately issue the facility a notice setting forth the acts or omissions with which it is charged, specifying the pertinent code section or sections and any regulations.

Activities under this chapter that require licensure include those set forth in the following regulations:

Business and Professions Code section 4037, subdivision (a), states "Pharmacy" means an area, place, or premises licensed by the board in which the profession of pharmacy is practiced and where prescriptions are compounded. "Pharmacy" includes, but is not limited to, any area, place, or premises described in a license issued by the board wherein controlled substances, dangerous drugs, or dangerous devices are stored, possessed, prepared, manufactured, derived, compounded, or repackaged, and from which the controlled substances, dangerous drugs, or dangerous devices are furnished, sold, or dispensed at retail.

California Code of Regulations, title 16, section 1707.4, subdivision (a), states, a pharmacy licensed by the board may process a request for refill of a prescription received by a pharmacy within this state, provided: (1) The pharmacy that is to refill the prescription either has a contract with the pharmacy which received the prescription or has the same owner as the other pharmacy.

California Code of Regulations, title 16, section 1717.1, subdivision (a), states, for dangerous drugs other than controlled substances: Two or more pharmacies may establish and use a common electronic file to maintain required dispensing information. Pharmacies using such a common file are not required to transfer prescriptions or information for dispensing purposes between or among pharmacies participating in the same common prescription file.



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California Code of Regulations, title 16, section 1793.3, subdivision (a), states, in addition to employing a pharmacy technician to perform the tasks specified in section 1793.2, a pharmacy may employ a non-licensed person to type a prescription label or otherwise enter prescription information into a computer record system, but the responsibility for the accuracy of the prescription information and the prescriptions as dispensed lies with the registered pharmacist who initials the prescription or prescription record. At the direction of the registered pharmacist, a non-licensed person may also request and receive refill authorization.

Acts or Omissions Upon Which this Action is Based

DrCatalyst located in the Philippines and/or Puerto Rico is an entity not licensed in California by the Board.

The Board's investigation determined that DrCatalyst is engaging in activities under this chapter that require licensure, without having obtained the necessary licensure. Specifically, DrCatalyst initiated the process of dispensing drugs as follows:

- When a prescription is received in Vibrant Care Pharmacy Inc.'s (Vibrant Care) computer system inbox, a team of non-licensed individuals working for DrCatalyst, remotely outsourced and located in the Philippines, access Vibrant Care's common electronic files to type and process the prescriptions on behalf of Vibrant Care.*
- The employees of DrCatalyst accessed the common electronic file of Vibrant Care in California, PHY51969, and reviewed patient profiles, patient medication information, address, date of birth, and billing information of patients in California.*
- After the employees of DrCatalyst began the process of dispensing drugs, the pharmacists at Vibrant Care located the processed prescription in the Pharmacist Verification 1(PV1) screen, of the Intelligent Pharmacy Software (IPS), and verified the information for appropriateness. The prescription was then sent to the pharmacy technicians to fill. Once the prescription was filled, the prescription medication was verified by the pharmacist.*
- Prescriptions for which the dispensing process was initiated by the non-licensed employees of DrCatalyst, have their name in the IPS software program, further indicating that those prescriptions were jointly dispensed.*

Order

On the basis of the foregoing, the Board, through its Executive Officer therefore ORDERS:

Effective immediately, DrCatalyst, shall cease and desist practicing any activity under this chapter that requires licensure, including initiating the dispensing process for prescription and prescription refills and the sharing of common electronic files with any pharmacy licensed in California, including Vibrant Care Pharmacy Inc., located at 7400 Macarthur Blvd Ste B in Oakland, CA PHY 51969.

Pursuant to Business and Professions Code sections 4008, and 4081, DrCatalyst, is instructed to print a list of all prescriptions and prescription refills processed in the past three years, from June 7, 2022, to June 7, 2025, and provide this list to the Board within 7 days.

Unlicensed Entity's Right to be Heard and Procedure

Pursuant to Business and Professions Code Section 4316, subdivision (c), within 15 days of receipt of this

notice, DrCatalyst may request a hearing before the president of the Board to contest this cease-and-desist order. Any contest of the cease-and-desist order shall comply with the requirements of Section 11425.10 of the Government Code, a copy of which is enclosed. Chapter 5 of the Administrative Procedures Act (commencing at Government Code Section 115000) does not apply to this proceeding. The hearing will be held no later than five (5) days from the date the owner's request for a hearing is received by the Board. The president will render a written decision within five (5) days of the hearing. In the absence of the president of the Board, the vice president of the Board may conduct the hearing permitted by this subdivision. Review of the decision of the president of the Board may be sought by the owner or person in possession or control of the unlicensed entity pursuant to Section 1094.5 of the Code of Civil Procedure.

California State Board of Pharmacy

By: Anne Sodergren, Executive Officer

Signed: Sodergren,
Anne@DCA

Digitally signed by Sodergren,
Anne@DCA
Date: 2025.06.09 14:57:15 -07'00'

Date: June 9, 2025

Acknowledgement

I hereby acknowledge receipt of the above cease and desist order and notice.

By: _____

Date:

Please return a copy of this signed and acknowledged document to the Board of Pharmacy by fax to 916-702-6783 or email Kavita.Nankani@dca.ca.gov.