

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP**

OMB APPROVAL	
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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person* <u>Achar Christopher K</u> <hr/> (Last) (First) (Middle) C/O CUE HEALTH INC. 4980 CARROLL CANYON RD. SUITE 100 <hr/> (Street) SAN DIEGO CA 92121 <hr/> (City) (State) (Zip)		2. Issuer Name and Ticker or Trading Symbol <u>Cue Health Inc. [ HLTH ]</u>		5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input checked="" type="checkbox"/> Director 10% Owner Officer (give title below) Other (specify below)	
		3. Date of Earliest Transaction (Month/Day/Year) 03/02/2023			
		4. If Amendment, Date of Original Filed (Month/Day/Year)		6. Individual or Joint/Group Filing (Check Applicable Line) <input checked="" type="checkbox"/> Form filed by One Reporting Person Form filed by More than One Reporting Person	

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)		4. Securities Acquired (A) or Disposed Of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price			
Common Stock	03/02/2023		A		85,106 <sup>(1)</sup>	A	\$0	1,536,396	D	
Common Stock	03/06/2023		F		4,868 <sup>(2)</sup>	D	\$2.11	1,531,528 <sup>(3)</sup>	D	
Common Stock								1,520,000	I	See Footnote <sup>(4)</sup>

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)	
				Code	V	(A)	(D)	Date Exercisable	Expiration Date						Title
Stock Option (right to buy)	\$2.08	03/02/2023		A		170,213		<sup>(5)</sup>	03/02/2033	Common Stock	170,213	\$0	170,213	D	

**Explanation of Responses:**

- Represents restricted stock units ("RSUs"). Each RSU represents a contingent right to receive one share of the Issuer's common stock. One-sixteenth (1/16th) of the shares vest on the first Quarterly Vesting Date that is on or after March 6, 2023 and as to one-sixteenth (1/16th) of the RSUs on each Quarterly Vesting Date thereafter, subject to the reporting person providing continuous service through such date. "Quarterly Vesting Date" is the first trading day on or after each of March 5, June 5, September 5 and December 5.
- The reported shares were withheld to satisfy the reporting person's tax liability in connection with the vesting of RSUs.
- Includes 1,231,018 unvested RSUs.
- The securities are directly held by Hlth Wrk LLC. The reporting person is the sole manager of Hlth Wrk LLC and may be deemed to have voting and investment power with respect to the shares held by Hlth Wrk LLC and as a result may be deemed to have beneficial ownership of such shares.
- Stock option granted under the Issuer's 2021 Stock Incentive Plan and becomes exercisable on the first Quarterly Vesting Date that is on or after June 5, 2023 and as to one-sixteenth (1/16th) of the stockoptions on each Quarterly Vesting Date thereafter, subject to the reporting person providing continuous service through such date.

**Remarks:**

Exhibit 24 - Power of Attorney

/s/ Erica Palsis, Attorney-in-Fact for  
Chris Achar

03/06/2023

\*\* Signature of Reporting Person

Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

\* If the form is filed by more than one reporting person, see Instruction 4 (b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

LIMITED POWER OF ATTORNEY FOR SECTION 16 REPORTING OBLIGATIONS

Know all by these presents, that the undersigned hereby makes, constitutes and appoints each of Erica Palsis and Aasim Javed, signing singly as

(1) execute for and on behalf of the undersigned, in the undersigned's capacity as an officer, director and/or stockholder of Cue Health Inc. (the "Company"), Forms 3, 4, and 5 (including any amendments thereto) in accordance with Section 16(a) of the Securities Exchange Act of 1934, as amended, and the rules thereunder (the "Exchange Act");

(2) do and perform any and all acts for and on behalf of the undersigned which may be necessary or desirable to prepare, complete and execute :

(3) seek or obtain, as the undersigned's representative and on the undersigned's behalf, information regarding transactions in the Company's s

(4) take any other action of any type whatsoever in connection with the foregoing which, in the opinion of such attorney-in-fact, may be of be

The undersigned hereby grants to each such attorney-in-fact full power and authority to do and perform any and every act and thing whatsoever :

This Power of Attorney shall remain in full force and effect until the undersigned is no longer required to file Forms 3, 4, and 5 with respect

IN WITNESS WHEREOF, the undersigned has caused this Power of Attorney to be executed as of 03/06/2023.

/s/ Chris Achar

Signature

Chris Achar

Print Name