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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).

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

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

OMB APPROVAL	
OMB Number:	3235-0287
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1. Name and Address of Reporting Person* <u>EBERLY RICHARD</u> (Last) (First) (Middle) <u>C/O CHEMBIO DIAGNOSTICS, INC.</u> <u>3661 HORSEBLOCK ROAD</u> (Street) <u>MEDFORD</u> <u>NY</u> <u>11763</u> (City) (State) (Zip)	2. Issuer Name and Ticker or Trading Symbol <u>CHEMBIO DIAGNOSTICS, INC. [CEMI]</u> 3. Date of Earliest Transaction (Month/Day/Year) <u>03/15/2022</u> 4. If Amendment, Date of Original Filed (Month/Day/Year)	5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input checked="" type="checkbox"/> Director 10% Owner <input checked="" type="checkbox"/> Officer (give title below) Other (specify below) <u>See Remarks</u> 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
Rule 10b5-1(c) Transaction Indication <input type="checkbox"/> Check this box to indicate that a transaction was made pursuant to a contract, instruction or written plan that is intended to satisfy the affirmative defense conditions of Rule 10b5-1(c). See Instruction 10.		

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	03/15/2022		M		38,709	A	(1)	38,709	D	
Common Stock	03/16/2022		M		77,863	A	(1)	116,572	D	
Common Stock	03/16/2022		F(2)		41,442	D	\$0.7	75,130	D	
Common Stock	03/11/2023		M		144,000	A	(1)	219,130	D	
Common Stock	03/11/2023		F(2)		51,912	D	\$0.44	167,218	D	
Common Stock	03/15/2023		M		38,710	A	(1)	205,928	D	
Common Stock	03/15/2023		F(2)		13,958	D	\$0.39	191,970	D	
Common Stock	03/16/2023		M		77,863	A	(1)	269,833	D	
Common Stock	03/16/2023		F(2)		28,074	D	\$0.33	241,759	D	
Common Stock	04/26/2023		U(3)		241,759	D	\$0.45(1)	0	D	
Common Stock	04/26/2023		U(3)		51,413	D	\$0.45(1)	0	I	By spouse

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	Amount or Number of Shares				
Restricted stock units	(1)	03/15/2022		M			38,709	(4)	(4)	Common stock	38,709	\$0	77,420	D	
Restricted stock units	(1)	03/16/2022		M			77,863	(5)	(5)	Common stock	77,863	\$0	77,863	D	
Restricted stock units	(1)	03/11/2023		M			144,000	(6)	(6)	Common stock	144,000	\$0	288,000	D	
Restricted stock units	(1)	03/15/2023		M			38,710	(4)	(4)	Common stock	38,710	\$0	38,710	D	
Restricted stock units	(1)	03/16/2023		M			77,863	(5)	(5)	Common stock	77,863	\$0	0	D	
Restricted stock units	(1)	04/26/2023		D ⁽⁷⁾			326,710	(7)	(7)	Common stock	326,710	(7)	0	D	
Incentive stock options	\$4.65	04/27/2023		D ⁽⁸⁾			321,429	(8)	03/14/2031	Common stock	321,429	(8)	0	D	
Incentive stock options	\$1.25	04/27/2023		D ⁽⁸⁾			143,067	(8)	03/10/2032	Common stock	143,067	(8)	0	D	
Nonqualified stock options	\$1.25	04/27/2023		D ⁽⁸⁾			690,076	(8)	03/10/2032	Common stock	690,076	(8)	0	D	

Explanation of Responses:

1. Each restricted stock unit represents a contingent right to receive one share of common stock.
2. These shares were withheld for tax purposes upon the vesting of restricted stock units.
3. Reflects disposition of Issuer common stock in connection with the consummation of the transactions contemplated by the Agreement and Plan of Merger, dated January 31, 2023 (the "Merger Agreement"), by and among the Issuer, Biosynex SA ("Parent"), and Project Merci Merger Sub, Inc. ("Purchaser"), including the completion on April 26, 2023 of a tender offer to purchase all of the outstanding shares of Issuer common stock at a price of \$0.45 per share in cash, without interest (the "Offer Price"), and the consummation of the merger (the "Merger") between the Issuer and Purchaser on April 27, 2023. Pursuant to the Merger Agreement, as of the effective time of the Merger (the "Effective Time"), each outstanding share of Issuer common stock was cancelled in exchange for the right to receive an amount equal to the Offer Price.
4. On March 15, 2021, the reporting person was granted 116,129 restricted stock units which vest over three years, with one-third vesting on March 15, 2022, one-third vesting on March 15, 2023, and the remaining one-third vesting on March 15, 2024, subject to continued service through each vesting date.
5. On March 16, 2020, the reporting person was granted 233,589 restricted stock units which vest over three years, with one-third vesting as of March 16, 2021; one-third vesting as of March 16, 2022; and one-third vesting as of March 16, 2023.
6. On March 11, 2022, the reporting person was granted 432,000 restricted stock units which vest in equal installments on March 11 of each of 2023, 2024 and 2025, subject to continued service through each vesting date.
7. Each Company RSU (as defined in the Merger Agreement) that was outstanding as of immediately prior to the Effective Time was cancelled and converted into the right to receive an amount in cash equal to the product of (a) the total number of Shares (as defined the Merger Agreement) issuable in settlement of such Company RSU immediately prior to the Effective Time without regard to vesting multiplied by (b) the Merger Consideration (as defined in the Merger Agreement).
8. As of the Effective Time, by virtue of the Merger and without any further action on the part of the holders thereof, Parent, Purchaser or the Issuer, each option which had a per share exercise price that is equal to or more than the Offer Price (each, an "Out of the Money Option") that was then outstanding and unexercised as of immediately before the Effective Time was cancelled at the Effective Time without any consideration payable therefor.

Remarks:

Chief Executive Officer and President

/s/ Richard L. Eberly

** Signature of Reporting Person

05/01/2023

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.

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