

**CLOVER HEALTH INVESTMENTS, CORP.
ANTI-KICKBACK POLICY**

(Adopted December 6, 2023)

Purpose of Policy

The purpose of this policy is to ensure compliance by Clover Health Investments, Corp. and its direct and indirect subsidiaries (collectively, “Clover”), with federal and state anti-kickback statutes (collectively, the “Anti-Kickback Statute”).

The Anti-Kickback Statute

The Anti-Kickback Statute prohibits any person or entity from knowingly and willfully soliciting, receiving, offering or paying any remuneration to another person or entity to induce, or in return for, the referral of an individual to a person or entity for the furnishing of (or arranging for the furnishing of) any items or service reimbursable under a Federal health care program, such as Medicare or Medicaid (42 U.S.C. § 1320a-7b) (collectively referred to as the “Federal Healthcare Programs .”). The statute’s prohibition also extends to remuneration to induce, or in return for, the purchasing, leasing, ordering, or arranging for any product or service that may be reimbursed, in whole or in part, by Federal Healthcare Programs. It also prohibits the payment or receipt of any remuneration that is intended to induce the recommendation of the purchasing, leasing or ordering of any product or service. The Anti-Kickback Statute covers soliciting or receiving prohibited remuneration whether that is done directly or indirectly, overtly or covertly.

Policy and Scope

This Anti-Kickback Statute Policy (the “Policy”) requires compliance with the Anti-Kickback Statute by all Clover employees, affiliates, officers, directors and contractors (collectively, “Clover Agents”). It is designed to ensure that all Clover Agents understand the principal elements of the Anti-Kickback Statute and their obligations to report suspected violations and/or seek guidance from the Chief Compliance Officer when necessary. This Policy is applicable to all Clover business transactions and practices and to all Clover Agents engaged in such transactions and practices. A copy of this Policy will be made publicly available through Clover Health Investments, Corp.’s website.

Elements of the Anti-Kickback Statute

Prohibited Transactions and Practices. The Anti-Kickback Statute prohibits Clover Agents from knowingly and willingly offering, soliciting, accepting or receiving prohibited remuneration intended to induce:

- The purchase, lease, order, or recommending or arranging for the purchase, lease or order of a product or service that is reimbursed under a Federal Health Care Program; or
- Referrals for a product or service reimbursable under Federal Healthcare Programs

For example, Clover Agents are prohibited from engaging in some practices that are common in other business sectors, such as offering or receiving gifts to reward past or future referrals from providers and their staff.

In evaluating whether any particular business transaction or practice violates the Anti-Kickback Statute, the government may consider factors that include the following:

- Nature of the relationship between the parties;
- Manner in which the participants were selected;
- Manner in which the remuneration is determined;
- Value of the remuneration;
- Nature of the items or services provided;
- Potential conflicts of interest;
- Manner in which the arrangement is documented;
- Potential increase cost to Federal Healthcare Programs, beneficiaries, or enrollees;
- Potential increase risk of over-utilization or inappropriate utilization of a product or service;
- Potential safety or quality-of-care concerns; or
- Potential interference with appropriate clinical decision making.

Remuneration. Remuneration can be anything of value, whether in cash, in kind, or some other form. By way of example only, remuneration may take the form of discounts, rebates, grants, vouchers, gifts, services, coupons, lottery tickets, trips, or free products.

Safe Harbors. Because the government may construe the Anti-Kickback Statute broadly to prohibit otherwise beneficial business transactions or practices, it created “safe harbors” to shield certain transactions and practices from prosecution under the statute. To receive the protection of a safe harbor, a transaction or practice must satisfy each element of a safe harbor. Transactions or practices that do not satisfy all elements of a relevant safe harbor are not necessarily illegal but may be subject to heightened scrutiny.

To the extent possible, Clover business transactions and practices should comply with an applicable safe harbor. Clover Agents should consult with the Chief Compliance Officer for advice on satisfying the requirements of a safe harbor regarding any arrangement that potentially implicates the Anti-Kickback Statute.

Intent to Induce. The Anti-Kickback Statute is an intent-based statute. However, the Anti-Kickback Statute may be violated if one purpose of the business transaction or practice is to induce referrals or the purchasing, leasing or ordering of any product or service, or the recommending of or arranging for such activities, even if there are other legitimate purposes for the transaction or practice.

Penalties. A violation of the Federal Anti-Kickback Statute can result in criminal and civil penalties. Currently, a violation is a felony punishable by a fine of up to \$100,000 per violation and imprisonment for up to 10 years. In addition, a violation can result in False Claims Act liability and civil monetary penalties.

The government may also initiate administrative proceedings to exclude a person or entity from participation in the Medicare and Medicaid programs as the result of Anti-Kickback Statute violations.

Responsibilities for Compliance with the Anti-Kickback Statute and this Policy

Complying with Applicable Laws and this Policy. This Policy supplements the Clover Health Investments, Corp. Code of Business Conduct and Ethics, which sets forth appropriate legal

and ethical standards to which Clover Agents must adhere. All Clover Agents will comply at all times with the Anti-Kickback Statute and this Policy while performing their job duties and responsibilities for Clover.

Failing to Comply. Failure by any Clover Agent to comply with this Policy could lead to disciplinary action, up to and including immediate termination of employment or other status and referral to government authorities, as well as criminal and civil penalties noted above.

Seeking Guidance. If a Clover Agent has questions about whether a proposed transaction, practice or process could be in violation of this Policy, they should consult with the Chief Compliance Officer.

Reporting Suspected Violations. All Clover Agents are expected to report any suspected violations of the Anti-Kickback Statute or this Policy in accordance with Clover's Whistleblower Policy. Clover Agents may report a suspected violation confidentially and anonymously by (i) calling the third-party hosted telephone hotline at the following toll-free number: 877-284-6962 in the United States; (ii) making a report through a third-party hosted website by clicking on <https://www.whistleblowerservices.com/CLOV> and following the instructions; (iii) emailing the Chief Corporate Compliance Officer at karen.soares@cloverhealth.com or (iv) emailing the Audit Committee at audit.chair@cloverhealth.com. Suspected violations will be investigated pursuant to the Whistleblower Policy. Significant or potentially material violations shall be reported to the management-level Risk Committee and to the Board's Audit Committee.

Participating in Mandatory Training. All Clover Agents shall participate in required compliance training covering the Anti-Kickback Statute and this Policy, and informed of criminal and civil penalties violators may be subjected to for failing to comply with those laws, as determined by the Chief Corporate Compliance Officer.

Other Policies and Procedures. The Chief Compliance Officer shall develop and oversee the implementation and operation of policies, procedures, and internal controls for monitoring compliance with this Policy and for investigation and decision-making regarding possible violations of the Policy.