

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

Presented by Cottingham & Butler

HR audits are essential for companies to ensure that they are avoiding any legal or regulatory liability associated with their HR policies and practices. In addition, audits can provide the opportunity to benchmark your strategies and practices against the best practices of other companies in your industry.

Use this checklist as a way to assess possible issues before an audit. Simply check yes or no in response to the questions asked.

LEGAL REQUIREMENTS AND COMPLIANCE	YES	NO
Are you an applicable large employer (ALE) under the Affordable Care Act (ACA)?	<input type="checkbox"/>	<input type="checkbox"/>
Are you considered a small business under federal law?	<input type="checkbox"/>	<input type="checkbox"/>
Are you familiar with the laws and regulations that apply to an organization of your size?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization in compliance with ACA provisions?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have questions about your obligations under the ACA?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization familiar with the rules and regulations imposed by HIPAA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have questions regarding HIPAA?	<input type="checkbox"/>	<input type="checkbox"/>
Has your organization had a HIPAA data breach in the past three years?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization train employees on the proper storage and protection of health information, as it applies to HIPAA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a program in place to effectively respond to a HIPAA data breach?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization familiar with its responsibilities under the ADA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have questions regarding the ADA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have policies and procedures in place to ensure its compliance with the ADA?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization familiar with its responsibilities under the FMLA?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization keeping up with the ever-changing rules under the FMLA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have questions about the FMLA?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization familiar with its responsibilities under the FLSA?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization keeping up with the ever-changing rules under the FLSA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have questions about the FLSA?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization prepared for a DOL audit?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization familiar with its responsibilities under ERISA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have questions about ERISA's rules?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a system in place to ensure that your policies and procedures are up to date with legal developments when they occur?	<input type="checkbox"/>	<input type="checkbox"/>

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HR GENERAL QUESTIONS	YES	NO
Is your management personnel trained in human resources practices and compliance with company policies and the law?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have an up-to-date, comprehensive employee handbook?	<input type="checkbox"/>	<input type="checkbox"/>
Is your handbook readily available to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Have you reviewed and updated your sexual harassment policy and procedure within the last year?	<input type="checkbox"/>	<input type="checkbox"/>
Do you know which drug testing methods detect opioids and which do not?	<input type="checkbox"/>	<input type="checkbox"/>
Are you offering employees flexible work hours at least some of the time?	<input type="checkbox"/>	<input type="checkbox"/>
Have you discussed gender inequality and wage issues openly with your workforce to encourage a constructive dialogue?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization active in strategic benefit planning based on your employees' unique needs?	<input type="checkbox"/>	<input type="checkbox"/>
Do you provide employees with year-round benefits communications?	<input type="checkbox"/>	<input type="checkbox"/>
Are you proactively offering stress management and mental health resources to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Have you adapted your intern policy to accommodate trending hiring practices?	<input type="checkbox"/>	<input type="checkbox"/>
Are employees instructed on creating strong passwords and the best practices for using them, like not repeating passwords used for personal email accounts?	<input type="checkbox"/>	<input type="checkbox"/>
Are employees provided with resources for maintaining their health while still fulfilling their job duties?	<input type="checkbox"/>	<input type="checkbox"/>
Do you regularly engage with employees through consistent communication, like monthly newsletters?	<input type="checkbox"/>	<input type="checkbox"/>
Are you using social media to offer employees another route for having their HR questions answered?	<input type="checkbox"/>	<input type="checkbox"/>

RECRUITING, INTERVIEWING AND ONBOARDING	YES	NO
Does your organization have a recruitment marketing strategy?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use social media to attract job applicants?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use online communities to attract job applicants?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use job boards to attract job applicants?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use employee referral programs for filling open positions?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization try to recruit from within to fill open positions?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have best practices in place for conducting conversations with job applicants?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have well-written job descriptions?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

Are your organization's job descriptions compliant with nondiscrimination, disability and equal employment opportunity laws?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization annually review its job descriptions?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a prewritten list of interview questions to ask applicants?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct prescreening interviews prior to bringing a candidate to interview with hiring managers?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization understand what interview questions are illegal to ask under federal law?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization understand what interview questions are illegal to ask under your state's laws?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct background checks prior to making an offer of employment?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct drug testing prior to making an offer of employment?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use an objective candidate evaluation checklist to vet candidates?	<input type="checkbox"/>	<input type="checkbox"/>
Do you follow up with candidates regardless of whether or not they got the job?	<input type="checkbox"/>	<input type="checkbox"/>
Are new hires assigned a mentor within the first two days of starting?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization provide welcome gifts to new employees?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a standardized onboarding plan that all new hires must complete?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have onboarding plans that differ between each new hire?	<input type="checkbox"/>	<input type="checkbox"/>
Does your training program include activities that will hold new hires' interest?	<input type="checkbox"/>	<input type="checkbox"/>
Is your training program technology-based?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use technology to track a new hire's progress?	<input type="checkbox"/>	<input type="checkbox"/>
Do you hold meet-and-greet events for new employees to meet existing employees?	<input type="checkbox"/>	<input type="checkbox"/>
Do you survey new hires' satisfaction with their onboarding experience?	<input type="checkbox"/>	<input type="checkbox"/>
Are new hires given a packet of necessary documents on their first day, including HR forms, a training schedule, contact lists and software logins?	<input type="checkbox"/>	<input type="checkbox"/>
Do new hires have a time set at least once a week to meet with their managers and ask questions during the onboarding experience?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization communicate onboarding goals and metrics to new hires?	<input type="checkbox"/>	<input type="checkbox"/>

RETENTION	YES	NO
Does your organization conduct audits to determine your employee retention rate?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a retention strategy in place?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct benchmarking to determine how your benefits stack up against those of your competition?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct employee engagement surveys?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

Does your organization conduct workplace satisfaction surveys?	<input type="checkbox"/>	<input type="checkbox"/>
Do you regularly check in with employees to ensure they feel comfortable and included in the workplace environment?	<input type="checkbox"/>	<input type="checkbox"/>
Does upper management regularly communicate company information and decisions to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization provide and discuss career planning opportunities with employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer incentives beyond health benefits to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Do you monitor the market to ensure that top performers are appropriately compensated?	<input type="checkbox"/>	<input type="checkbox"/>
Have you reviewed employee pay scales within the last three years?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a strategy in place for when a top performer comes to you with another offer?	<input type="checkbox"/>	<input type="checkbox"/>

WORKPLACE CULTURE AND FLEXIBILITY	YES	NO
Does your organization focus on cultivating its culture?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization know the difference between a strong and weak company culture?	<input type="checkbox"/>	<input type="checkbox"/>
Do you promote your culture within your organization and to job applicants?	<input type="checkbox"/>	<input type="checkbox"/>
Do you throw companywide events for employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization recognize and reward valuable employee contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have an employee recognition program in place?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization encourage employee autonomy?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization provide regular and timely feedback?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization embrace workplace transparency?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization promote professional relationships?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a mentoring program in place?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer “soft” benefits like wellness incentives, voluntary benefits, child care benefits and fringe benefits?	<input type="checkbox"/>	<input type="checkbox"/>
Do you want to offer a flexible workplace to your workforce?	<input type="checkbox"/>	<input type="checkbox"/>
Does your culture support workplace flexibility?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer a flextime policy that aligns with your company’s goals?	<input type="checkbox"/>	<input type="checkbox"/>
Do you communicate your flexible scheduling options to your employees?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer a telecommuting policy that aligns with your company’s goals?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer an unlimited paid time off (PTO) policy that aligns with industry standards?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have an alternate scheduling policy that aligns with your company’s goals?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer resources or programs to full- or part-time employees who are also caregivers?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

EMPLOYEE BENEFITS AND POLICIES	YES	NO
Does your organization have clearly defined employee classifications?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization's compensation for both exempt and nonexempt employees in compliance with federal and state wage and hour laws?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization track time worked, meals, break and rest periods?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization communicate time worked, meals, break and rest period rules to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a process in place to approve time worked or to make scheduled work time changes?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization communicate time worked or requested time changes, expectations and policies to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a written policy for absenteeism and punctuality?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization communicate the absenteeism and punctuality policy to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have written PTO policies?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization communicate PTO policies to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have summary plan descriptions for your group health plans?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization communicate its benefits plans to eligible employees?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have group health plans that meet the design, notification, nondiscrimination and recordkeeping requirements of federal laws like ERISA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer benefits and wellness plans that are in compliance with HIPAA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer group health plans that comply with the plan design, notification and recordkeeping requirements under the ACA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer retirement plans, such as a pension, 401(k), 403(b), that comply with ERISA?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization define its discretionary bonus and benefits plans?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a policy that discusses leaves of absences, including pregnancy, disability and military leave?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a policy on FMLA leave?	<input type="checkbox"/>	<input type="checkbox"/>
Do you regularly send benefits descriptions to employees at least a month before open enrollment?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct an in-person benefits meeting with employees prior to enrollment?	<input type="checkbox"/>	<input type="checkbox"/>
Do you provide employees with videos that explain their benefits in easy-to-understand terms?	<input type="checkbox"/>	<input type="checkbox"/>
Do employees receive clear instructions and reminders so they go through open enrollment on time?	<input type="checkbox"/>	<input type="checkbox"/>
Are employees sent informative articles about their benefits options to pre-empt any questions?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

Are you offering health and wellness communications to employees in addition to traditional benefits information?	<input type="checkbox"/>	<input type="checkbox"/>
Do employees know about all the ways your organization invests in their benefits?	<input type="checkbox"/>	<input type="checkbox"/>
Do you send employees benefits communications through methods besides email, like mail-home flyers, printed articles or payroll stuffers?	<input type="checkbox"/>	<input type="checkbox"/>
Are employees given a clear point person for all their benefits questions?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer more than one method for answering employee benefits questions, like a designated email address, in-person office hours or a distributed questionnaire?	<input type="checkbox"/>	<input type="checkbox"/>

EMPLOYEE COMMUNICATIONS	YES	NO
Do you offer monthly newsletters on topics employees find interesting?	<input type="checkbox"/>	<input type="checkbox"/>
Do employees receive easy-to-understand descriptions of their benefits prior to open enrollment?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization hold in-person, all-staff meetings at least once a year?	<input type="checkbox"/>	<input type="checkbox"/>
Are your internal communications written so that everyone can easily understand them?	<input type="checkbox"/>	<input type="checkbox"/>
Are employees kept up to date on important news regarding the company, like mergers, executive-level structure changes or open positions?	<input type="checkbox"/>	<input type="checkbox"/>
When relaying important news, do you set aside time for employee questions and feedback?	<input type="checkbox"/>	<input type="checkbox"/>
Have you surveyed employees in the past two years about their preferred methods of communication?	<input type="checkbox"/>	<input type="checkbox"/>
Do employees receive praise in a semi-public forum, like a team meeting or an all-company email?	<input type="checkbox"/>	<input type="checkbox"/>
Are employee promotions announced to individuals outside of the immediate department?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a year-round communication campaign?	<input type="checkbox"/>	<input type="checkbox"/>

EMPLOYEE WELLNESS AND STRESS MITIGATION	YES	NO
Are educational wellness posters featured visibly around the office?	<input type="checkbox"/>	<input type="checkbox"/>
Do employees have access to health care education materials?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization utilize wellness programs or initiatives that are focused on employee health?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer any disease management programs?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer disease management resources?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization offer any nutritional education programs?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization doing enough to lower employee stress?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization actively promoting smoking cessation practices?	<input type="checkbox"/>	<input type="checkbox"/>
Has your organization recently benchmarked its wellness programs against industry competitors?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

Has your organization ever conducted a health fair?	<input type="checkbox"/>	<input type="checkbox"/>
Do you communicate regularly with employees about ways to stay healthy?	<input type="checkbox"/>	<input type="checkbox"/>
Do you provide employees with general stress mitigation tips?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer an employee assistance program (EAP)?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer a flexible office or PTO policy that aligns with your company's goals?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have an effective plan to communicate business or benefits changes to employees?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer competitive compensation?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer a retirement plan?	<input type="checkbox"/>	<input type="checkbox"/>
Do you provide employees with the resources to make wise health care decisions?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer health and wellness resources?	<input type="checkbox"/>	<input type="checkbox"/>

HEALTH CARE CONSUMERISM AND HR	YES	NO
Are you offering employees resources to make them smarter health care consumers?	<input type="checkbox"/>	<input type="checkbox"/>
Do you provide detailed information on employee health benefits?	<input type="checkbox"/>	<input type="checkbox"/>
Are you poised to answer any employee health care questions?	<input type="checkbox"/>	<input type="checkbox"/>
Have you discussed or researched alternative plan designs, like an HSA, FSA or HRA?	<input type="checkbox"/>	<input type="checkbox"/>
Are you providing employees with varied plan designs to fit their unique health care needs?	<input type="checkbox"/>	<input type="checkbox"/>
Are your health care offerings competitive for your industry?	<input type="checkbox"/>	<input type="checkbox"/>
Has it been over a year since you last reviewed your benefits package?	<input type="checkbox"/>	<input type="checkbox"/>
Has it been over a year since your last health care compliance audit?	<input type="checkbox"/>	<input type="checkbox"/>
Is your company investing in employee wellness?	<input type="checkbox"/>	<input type="checkbox"/>
Are you prepared to adapt to potential health care changes?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand your company's legal obligations under the HIPAA Privacy Rules?	<input type="checkbox"/>	<input type="checkbox"/>
Does your broker provide you with applicable enrollment forms?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have access to important HR tools, such as surveys, checklists, interviews, applications, letters and forms?	<input type="checkbox"/>	<input type="checkbox"/>
Have you ever conducted an employee satisfaction survey?	<input type="checkbox"/>	<input type="checkbox"/>
Does your broker supply an annual report or review that demonstrates the value they provided that year?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

CYBER RISK MANAGEMENT	YES	NO
Does your organization have a wireless network?	<input type="checkbox"/>	<input type="checkbox"/>
Do your employees access internal systems from remote locations?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization use cloud-based software?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a “bring your own device” policy that allows employees to use personal devices for business use or on a company network?	<input type="checkbox"/>	<input type="checkbox"/>
Are any employees allowed to access administrative privileges on your network or computers?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have critical operational systems connected to a public network?	<input type="checkbox"/>	<input type="checkbox"/>
Does anyone in your organization use computers to access bank accounts or initiate money transfers?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization store sensitive information that could potentially compromise your organization if stolen?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization digitally store the personally identifiable information of employees or customers?	<input type="checkbox"/>	<input type="checkbox"/>
Is your organization part of a supply chain?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct business in foreign countries?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have enforceable policies regarding the acceptable use of computers, email and the internet?	<input type="checkbox"/>	<input type="checkbox"/>
Can the general public access your office without the use of an ID card?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct mandatory cyber security training for employees?	<input type="checkbox"/>	<input type="checkbox"/>
Can employees use their computers without regularly updating passwords?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have anti-virus software?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization conduct regular vulnerability checks?	<input type="checkbox"/>	<input type="checkbox"/>
Would your organization lose critical information in the event of a system failure?	<input type="checkbox"/>	<input type="checkbox"/>
Has your organization reviewed its cyber security policies within the past year?	<input type="checkbox"/>	<input type="checkbox"/>

OPIOID RISK MANAGEMENT	YES	NO
Does your organization have an EAP that offers substance abuse services?	<input type="checkbox"/>	<input type="checkbox"/>
Have you reviewed your internal substance abuse policies within the last two years?	<input type="checkbox"/>	<input type="checkbox"/>
Have you discussed prescription drug limits with your pharmacy benefit manager and/or carrier?	<input type="checkbox"/>	<input type="checkbox"/>
Are you regularly engaging with employees about the dangers of prescription opioids?	<input type="checkbox"/>	<input type="checkbox"/>
Have you reviewed substance abuse training for managers within the last two years and adjusted for the newfound prominence of prescription painkillers?	<input type="checkbox"/>	<input type="checkbox"/>
Are your internal policies up to date, especially those concerning FMLA and the ADA?	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST | HUMAN RESOURCES ISSUES TO CONSIDER

Have your policies been reviewed by legal counsel to account for an increasing need for substance abuse rehabilitation services?	<input type="checkbox"/>	<input type="checkbox"/>
Have you reviewed your substance abuse testing procedures within the last year?	<input type="checkbox"/>	<input type="checkbox"/>
Do you offer pain management solutions besides prescription opioids, like acupuncture, physical therapy and over-the-counter alternatives?	<input type="checkbox"/>	<input type="checkbox"/>
Have you analyzed your prescription drug benefits to assess exactly how much opioids are costing your business?	<input type="checkbox"/>	<input type="checkbox"/>