



The Lady Bird Deed What Families Need to Know

A Practical Guide for Adult Children Helping Aging Parents Plan Ahead

Why this matters:

Many families worry about protecting a parent's home while planning for future care needs. Understanding a Lady Bird Deed can help you have more informed conversations with qualified professionals.

What Is a Lady Bird Deed?

Also called an Enhanced Life Estate Deed, it allows a homeowner to keep complete control of their property during their lifetime, continue living in the home, sell, refinance, or change beneficiaries if they choose, and transfer the property automatically to heirs at death without probate.

Why Do Families Use It?

- Avoid probate
- Simplify inheritance for children or other heirs
- Potentially reduce exposure to Medicaid estate recovery in certain situations
- Keep control of the property during the owner's lifetime

States That Commonly Recognize Lady Bird Deeds

Florida, Texas, Michigan, Vermont, and West Virginia. State laws change, so always verify current rules with a qualified elder law attorney.

How Does It Work?

Example:

Mom owns a home. She signs a Lady Bird Deed naming her daughter as beneficiary. Mom keeps full ownership and control during her lifetime. When Mom passes away, ownership transfers automatically to her daughter without probate.

Important Medicaid Facts

Every state is required to have a Medicaid Estate Recovery Program. States generally must attempt to recover certain Medicaid long-term care costs paid on behalf of recipients age 55 and older from their estates after death. Rules vary significantly by state.

Before You Take Action

Review existing trusts, multiple-heir situations, Medicaid eligibility planning, tax consequences, state-specific laws, and long-term care needs before making changes to property ownership.

Disclaimer

This guide is provided for educational purposes only and is not legal, tax, financial, or Medicaid-planning advice. Laws vary by state and individual circumstances. Consult a qualified elder law attorney, estate planning attorney, CPA, or other licensed professional before making decisions regarding property ownership.