



A FAMILY GUIDE FOR TEXAS

When a Parent Needs Nursing Home Care

"Unless the LORD builds the house, those who build it labor in vain."

Psalms 127:1 (ESV)

Who to call first • What to ask • How to get help paying

Provided by Cornerstone Clay Community Development Corporation

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Updated October 22, 2026 | Review by January 2027 | General information only. See "Please read" on page 2.

Start here

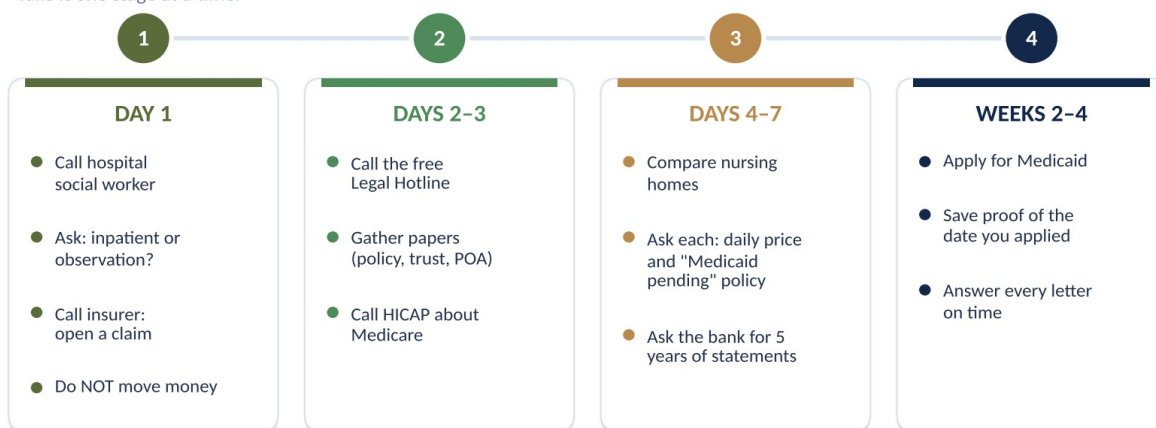
This is a hard time. **Start with the 5 steps below.** The rest is here when you need it.

Your first 5 steps

1. Call the hospital or rehab **social worker** today.
2. Call whoever **set up the long-term care plan** (insurer, agent, or advisor). Ask them to open a claim.
3. Call the free **Texas Legal Hotline**: [800-622-2520](tel:800-622-2520), option 3.
4. **Do not move, give away, or sell** any of her money or property.
5. **Do not sign** nursing home papers as the "guarantor" or "responsible party."

Your first month at a glance

Take it one stage at a time.



Find what you need

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Please read

The author is not a licensed attorney. This guide shares general information from public sources (researched October 2026) and personal experience. It is not legal, financial, tax, or medical advice and creates no attorney-client relationship. Laws and amounts change, and every case is different. **Confirm details with the agencies listed and a licensed Texas attorney before you act.** Cornerstone Clay Community Development Corporation and the author are not responsible for decisions or outcomes based on this guide.

Keep this page handy

Print it or save it on your phone.

Who to call

Who	Why call	Number
Hospital social worker	Discharge plan, nursing home options	Hospital main line
Legal Hotline for Texans (free)	Medicaid, Medicare, long-term care advice	800-622-2520 , option 3
HICAP (free)	Medicare questions, savings programs	800-252-9240
Dallas Area Agency on Aging	Local help and forms	214-871-5065
The Senior Source	Caregiver help, ombudsman, guardianship	214-823-5700
HHSC abuse / neglect line	Report problems in a facility	800-458-9858

5 things NOT to do

1. Do not give away, sell, or re-title her money, house, or accounts.
2. Do not sign nursing home papers as "guarantor" or "responsible party." You can say no to binding arbitration.
3. Do not cash in any annuity, insurance, or retirement account before getting advice.
4. Do not ignore a letter. Answer by the date on it.
5. Do not stop paying her long-term care premiums.

4 things to ask today

"Is she inpatient or under observation?" (Ask the hospital. Observation nights do not count toward Medicare's 3-night rule.)

"Please open a long-term care claim." (Ask the insurer.)

"Do you take Medicaid, and Medicaid pending?" (Ask each nursing home. Do not sign as a personal guarantor.)

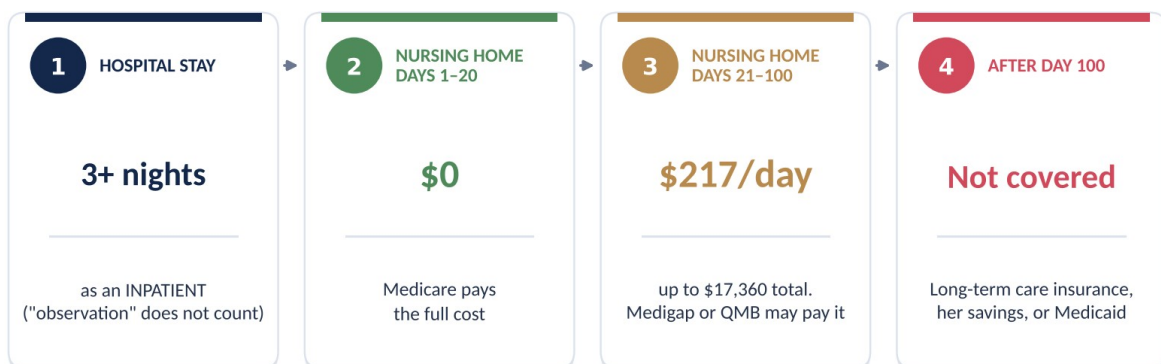
"Please give me the coverage-ending notice in writing." Fast appeals are usually due by **noon the day before** coverage ends. Follow the date on the notice.

1. Who pays for what

	What it covers	What to know
Medicare	Short rehab in a nursing home after a hospital stay. Up to 100 days.	Needs 3+ inpatient nights and a need for skilled care or therapy . Not long-term care. Days 21–100 cost \$217/day.
Medicaid	Long-term nursing home care, once her money is low.	Income and savings limits. Texas checks the last 5 years .
Long-term care insurance	A set amount per day, if she has a policy.	Often a waiting period . May not cover the full cost.

Who pays, step by step

Medicare helps for a short time. After that, the bill moves to other sources.



Texas Medicaid for a nursing home: 4 key numbers (2026)



Usually does NOT count: her home (up to the limit), one car, personal items, prepaid funeral.

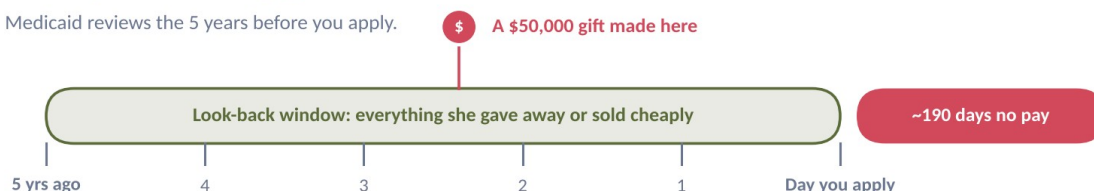
Example: what "money running out" can look like

An illustration only. A nursing home costs about **\$9,600 a month** nationally. If her income is **\$2,200**, the gap is **\$7,400 a month**. With **\$40,000** saved, that lasts about **5 months**. Then she can apply for Medicaid. **That is why it matters what happens to her savings.**

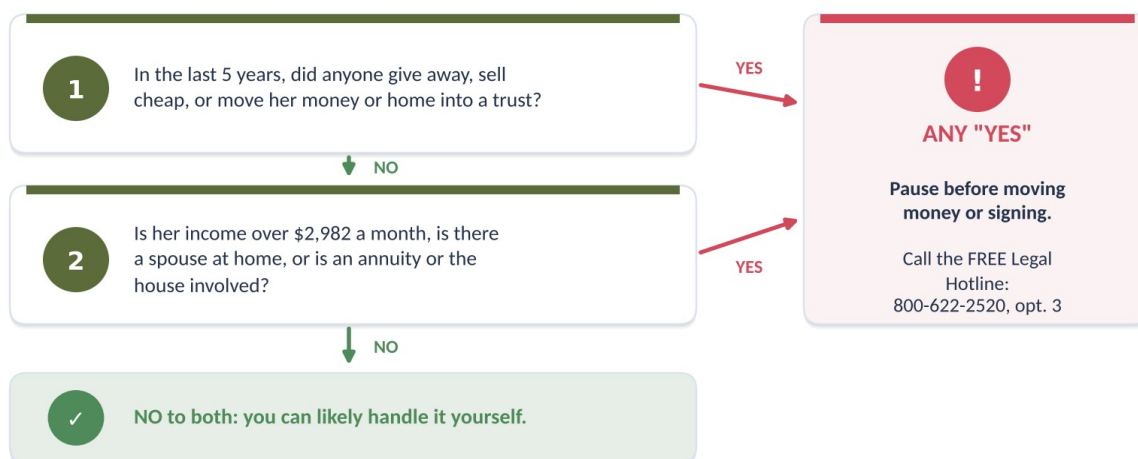
2. The 5-year rule and doing this yourself

The 5-year rule: why gifts cause trouble

Medicaid reviews the 5 years before you apply.



The math: $\$50,000 \div \text{about } \$262 \text{ per day} = \text{about } 190 \text{ days}$ Medicaid will not pay.
Bigger gift, longer wait.



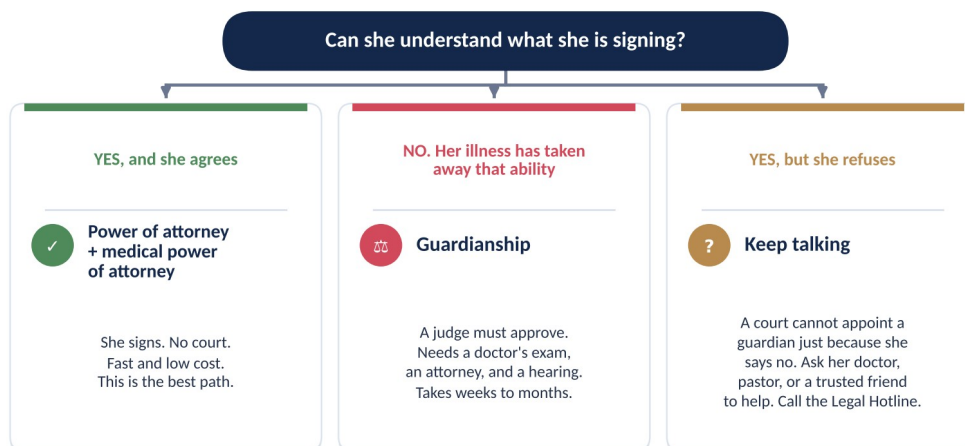
If she cannot make decisions and there is no power of attorney

- **Ask her doctor in writing** if she can understand and sign papers. A diagnosis alone does not decide this. If unclear, get a doctor's review **before** anyone signs new papers.
- **No paperwork at all?** Ask the hospital who can legally make **medical** decisions for her.
- **Call the Legal Hotline** and The Senior Source. Ask about **easier options than guardianship**, which takes weeks and costs money.
- **Never sign her name for her.** See Section 3 for guardianship.

Common mistakes

- ✗ **Giving money to family "to protect it."** Can block Medicaid for months or years.
- ✗ **Waiting to ask for the claim.** The waiting period may not start until you do.
- ✗ **Signing as "guarantor."** You could owe the bill yourself.
- ✗ **Missing a letter or deadline.** Medicaid can deny the application.
- ✗ **Not saving proof of the date applied.** It can decide how far back coverage goes.

3. Power of attorney or guardianship?



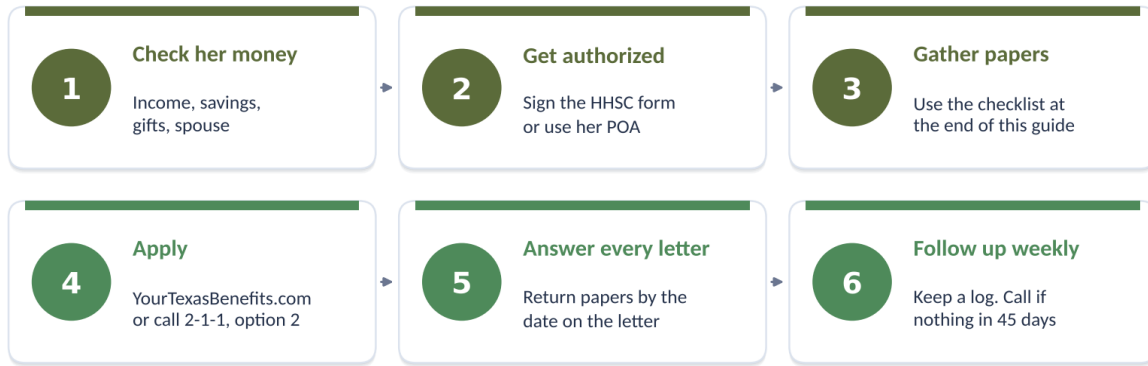
Tool	What it does	Must she sign?	Court needed?
Power of attorney (money)	Lets a person she names handle her money and bills.	Yes, while she understands	No
Medical power of attorney	Lets that person make health decisions if she cannot. Does not control her money.	Yes, while she understands	No
Directive to physicians	Records her wishes for treatment if she cannot speak for herself.	Yes, while she understands	No
Supported decision-making	She keeps the decisions. A helper explains and helps her choose.	Yes, by choice	No
Guardianship	A judge names someone to decide for her.	No, but the judge must find she cannot manage	Yes. Slowest and costs the most

If guardianship is needed (Dallas County)

- 1. Doctor's exam.** Her doctor writes a certificate of medical exam. The exam and the certificate must be dated no more than 120 days before the filing date. It is the most important paper.
- 2. Hire an attorney.** Dallas County does not accept a guardianship filing without one. Free or low-cost help: Disability Rights Texas [214-630-0916](tel:214-630-0916), Dallas Volunteer Attorney Program [214-243-2236](tel:214-243-2236), Dallas Bar referral [214-220-7444](tel:214-220-7444).
- 3. Register and train.** Applicants register at txcourts.gov/jbcc and finish the online guardian training.
- 4. File and wait.** A Dallas County probate court reviews it. A court investigator and a lawyer for her look into the case. Questions: Probate Court Investigators [214-653-6446](tel:214-653-6446).
- 5. Hearing.** The judge must be convinced that she cannot manage and that easier options will not work. **Letters or statements from close family and friends may help** show why. Ask your attorney what the court will accept.

If she agrees, it is much easier. Have her sign a power of attorney and medical power of attorney **while she still can.** Once she cannot understand, she cannot sign them. **Never sign her name for her.**

4. Applying for Medicaid



Keep a log of every call: date, who, what they said. **Save proof of the date you applied.** Apply when her savings are near \$2,000. If unsure, ask the Legal Hotline.

5. What was set up? What to do

Long-term care insurance

- Find the **policy**. Call the insurer and say: **"I want to start a claim for long-term care."**
- Ask: waiting period? daily limit? total limit? Keep paying premiums.

If nothing was set up (most common)

- That is okay. The usual path is: **Medicare** for short rehab, then **her own money**, then **Medicaid**.
- Start gathering papers and call the Legal Hotline now, so you are ready when her savings run low.

A trust or annuity (only if she has one)

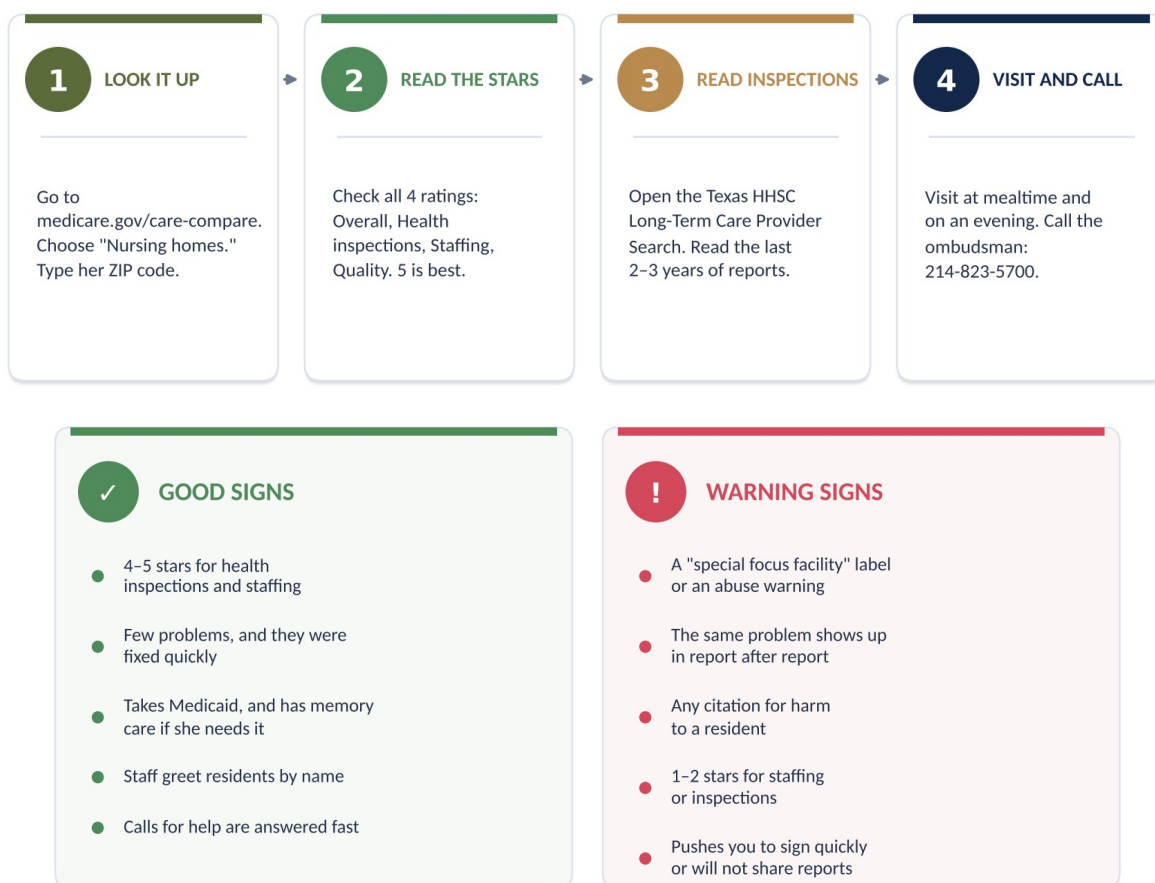
- Find the papers. **Do not move or cash in anything** until you ask the Legal Hotline how Medicaid will treat it.
- If her income is **over \$2,982 a month**, Texas usually requires a special **Qualified Income (Miller) Trust**. Ask the Legal Hotline.

Her house, savings, or power of attorney

- Do not sell, gift, or re-title.** Paying her debts, home repairs, or a prepaid funeral may be allowed. **Ask first.** Gather **5 years of bank statements**.
- Her home is usually protected if equity is **under \$752,000**, or if a spouse, child under 21, or disabled child lives there.
- Find her **power of attorney**. **Being her child does not give you automatic power over her money.**

6. Choosing a nursing home

Ask the hospital for a list of nearby homes. **You have the right to choose.** Check each one using these 4 steps. We do not name specific homes, because ratings change often.



Links: Medicare Care Compare <https://www.medicare.gov/care-compare/?providerType=NursingHome> | Texas HHSC Provider Search <https://tulip.hhs.texas.gov/TULIP/s/ltc-provider-search>. Website labels change, so look for a warning symbol or note on each home's page.

Ask on your visit

- **Medicaid:** "Do you take Medicaid and Medicaid pending? Is there a bed now? If she runs out of money while here, can she stay?"
- **Memory care:** "Do you have a memory-care unit? How do you handle confusion, wandering, or upset behavior?"
- **Staffing:** "How many aides per resident, day and night? Is a nurse always on site?"
- **Costs:** "What is the daily rate? What costs extra (laundry, supplies, hair)? What happens to her bed if she goes to the hospital?"
- **Visit tip:** go at **mealtime** and again on an **evening or weekend**. Notice how quickly staff answer call lights and how residents look.

Before you sign the admission agreement

- Ask for a copy **ahead of time** and read all of it. Do not sign as "guarantor."
- **You can say no to binding arbitration.** It gives up her right to sue in court. Under federal rules, a home cannot require it to admit her or keep her, and the form must say signing is optional.
- If she cannot sign, ask the Legal Hotline **who may sign for her**. Sign as her "**representative**" or "**agent**," never in your own name.

Also good to know

- **Assisted living** is usually **not** paid for by Medicaid. Nursing homes are.
- **HIPAA release:** have her sign one (if she can) so the family can talk to doctors and staff.
- **Using her money?** If you act under a power of attorney, keep receipts and a record of every dollar. Never mix her money with yours.
- **Social Security** problems or misuse? Ask SSA ([800-772-1213](tel:8007721213)) about a **representative payee**. Do not just use her card.

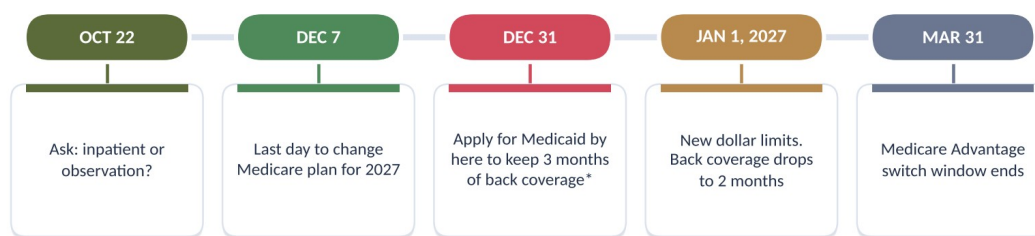
7. Papers to gather

- | | |
|---|--|
| ☐ ID, Social Security, Medicare, and insurance cards | ☐ House deed, car title, property tax bill |
| ☐ Long-term care, trust, annuity, or life insurance papers | ☐ Funeral or burial plan |
| ☐ Power of attorney (if any) | ☐ Veteran: discharge papers (DD-214) |
| ☐ Last 5 years of bank statements | ☐ Marriage or death certificates, if they apply |
| ☐ Income letters (Social Security, pension) | |

8. Other help she may qualify for

Program	What it does	Call or go to
Medicare Savings Programs	Pays Medicare premiums and may pay the \$217/day copay. Does not pay for long-term care.	HICAP 800-252-9240
Extra Help (Part D)	Lowers prescription costs.	ssa.gov or 800-772-1213
VA Aid & Attendance	Extra monthly money for a veteran or surviving spouse who needs daily help.	Dallas County Veterans Services 972-692-4939
Free legal help (low income)	Medicaid, benefits, and other civil legal problems.	Legal Aid of NorthWest Texas 888-529-5277
Hospital financial help	Can lower or cancel hospital bills.	Hospital billing office
Caregiver support, meals	Respite care, home-delivered meals.	Dallas AAA 214-871-5065

9. Important dates



*Only if she already qualifies in those months. Rules change every January.

Medicaid can sometimes pay for up to **3 months before** you apply. On **January 1, 2027**, that drops to **2 months**. **Applying before December 31 can matter.**

If she is married

- The spouse at home may keep about **half of the couple's countable savings**: at least **\$32,532** and up to **\$162,660** (2026).
- The spouse at home may also keep part of her income, up to about **\$4,066 a month** (2026).
- Her own limit stays **\$2,000**. Ask the Legal Hotline before moving any money.

A gift can cause a wait of about 1 day for every \$242 given (Texas HHSC figure since Sept. 2023; it is updated every two years, so ask for the current amount). Hours, numbers, and limits can change.

Words and contacts, explained

Medigap and QMB in plain words

- **Medigap** (Medicare Supplement) is private insurance that pays some costs Medicare leaves, like the **\$217/day** in days 21–100. **Check if she has one.** It does **not** pay for long-term care. Call the insurance company on her card.
- **Medicare Advantage** replaces regular Medicare and has its own rules. Ask the plan if it covers a nursing home stay, needs **approval first**, requires an **in-network** facility, and waives the 3-night rule. You cannot have Medigap with it.
- **QMB** (Qualified Medicare Beneficiary) is a **free state program** for people with low income. It can pay her Medicare premiums, deductibles, and the \$217/day, but **not long-term nursing home care**. **Apply early.** Call HICAP or apply at YourTexasBenefits.com.

Word	What it means	More info
Medicare	Federal health insurance, mostly for age 65+.	medicare.gov , 800-633-4227
Medicaid	Joint federal and state program. Pays for long-term nursing home care if she qualifies.	YourTexasBenefits.com , 2-1-1 option 2
SLMB, QI	Savings programs like QMB for slightly higher incomes. They help pay Medicare premiums.	HICAP (free Medicare help) 800-252-9240
Extra Help	Lowers Medicare drug costs (Part D).	ssa.gov , 800-772-1213
Inpatient / Observation	Inpatient counts toward Medicare's 3-night rule. Observation does not.	Hospital case manager
Look-back / penalty period	Medicaid reviews 5 years of gifts. A gift can mean a wait before Medicaid pays.	Legal Hotline 800-622-2520, opt. 3
Medicaid pending	Her application is filed but not yet approved. Many nursing homes accept this.	Ask each facility
Estate recovery	After she passes, Texas may bill her estate for Medicaid costs.	hhs.texas.gov (search "estate recovery")
Power of attorney (POA)	A paper that lets someone act for her on money or medical choices.	Legal Hotline
Guardianship	A court names someone to decide for her. Slow and costly. Try easier options first.	The Senior Source 214-823-5700
Long-term care insurance	Private policy that pays a daily amount. Has a waiting period.	TX Dept. of Insurance 800-252-3439
Ombudsman	A free advocate for nursing home residents.	The Senior Source 214-823-5700
AAA / ADRC	Area Agency on Aging and Aging and Disability Resource Center. Free local help finding services.	Dallas AAA 214-871-5065; Eldercare Locator 800-677-1116
VA Aid & Attendance	Extra monthly money for veterans and surviving spouses who need daily help.	va.gov , 800-827-1000

My contacts

Write names and numbers here as you go. Print this page or fill it in on screen.

Who	Name	Phone or email	Notes
Hospital or rehab social worker			
Her doctor			
Long-term care insurance (company, policy #)			
Medicare / Medigap plan (member #)			
Medicaid caseworker (case #)			
Attorney or Legal Hotline (case #)			
Nursing home admissions			
Nursing home social worker			
Ombudsman			
Bank			
Veterans Services (if a veteran)			
Other			

Key dates and numbers

Date she went into the hospital or home: _____ Date Medicaid was applied for: _____

Medicaid case number: _____ Next deadline or appeal date: _____

Call log and notes

Write down every call: date, who, what they said, and what happens next. This can matter later.

Date	Who I spoke with	What they said	Next step

Questions I still need to ask
