



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2026-44A

Jenny Barnhouse, Executive Director
Oklahoma Board of Nursing
P.O. Box 52926
Oklahoma City, Oklahoma 73152

August 11, 2026

Re: Robert Bernard Tryon, Multi-state License No. 216855

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding the emergency temporary suspension that the Oklahoma Board of Nursing ("Board") intends to take against the multistate registered nursing license No. 216855 of Robert Bernard Tryon ("Respondent"). Respondent is licensed with a multistate registered nursing ("RN") license and therefore possesses the privilege to practice as an RN in the party states.

The Oklahoma Nursing Practice Act ("Act") authorizes the Board to impose discipline when a nurse "[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing;" "[i]s guilty of unprofessional conduct as defined in the rules of the Board;"¹ "[i]s guilty of any act that jeopardizes a patient's life, health or safety;"² "[v]iolated a rule promulgated by the Board . . . or a state or federal law relating to the practice of . . . nursing;" "[f]ails to maintain professional boundaries with patients, as defined in the Board rules,"³ and "[e]ngages in sexual misconduct, as defined in Board rules, with a current or former patient or key

¹ Unprofessional conduct means "conduct detrimental to the public interest;" or "engaging in conduct with a patient . . . , inside or outside the health care setting that is sexual . . . or engaging in sexual exploitation of a patient[.]" OAC 485:10-11-1(b)(3)(H), (b)(3)(Q).

² Conduct which jeopardizes a patient's life, health or safety shall include, but not be limited to, "[f]ailure to utilize appropriate judgment in administering safe nursing practice or patient care assignment based upon the level of nursing for which the individual is licensed or recognized[.]" OAC 485:10-11-1(b)(4)(D).

³ Conduct that violates professional boundaries is "behavior that jeopardizes or could impair the relationship of trust that should exist between nurse and patient. Nurses must be able to recognize the appropriate interpersonal boundaries in all places and at all times for the duration of any therapeutic relationship. It is immaterial whether the boundary violation is instituted by the nurse or the patient; the nurse is the professional in the nurse-patient relationship." OAC 485:10-11-1(b)(5).

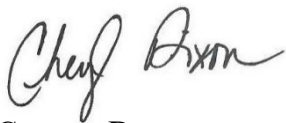
party, inside or outside the health care setting.” 59 O.S.Supp.2023 §§567.8(B)(3), (B)(7), (B)(8), (B)(9), (B)(12), and (B)(13).

Pursuant to 75 O.S. 2021, § 314.1, “if an agency finds that the public health, safety, or welfare imperatively requires emergency action, has promulgated administrative rules which provide for such action and incorporates a finding regarding the emergency in its order, emergency actions may be ordered pending the final outcome of proceedings.” *See also* OAC 485:10-11-2(b)(14).

In the above-referenced case, a Board Nurse Investigator filed a Complaint against the Respondent’s multistate RN license alleging that Respondent raped a patient while he was on duty as a nurse. Pawnee County District Attorney indicted Respondent with Count 1: Abuse by Caretaker and Count 2: Rape-First Degree. *See State of Oklahoma vs, Tryon, Robert Bernard, No. CF-2026-00038*. The case is pending. The Complaint and a Notice of Hearing were delivered by a process server on July 3, 2026, to the jail where the Respondent was being held on these pending criminal charges.

Based on the seriousness of the allegations made in the Complaint and Respondent’s inability to be present at the hearing on July 29, 2026, the Board found that public health, safety, and welfare imperatively require emergency action to summarily suspend Respondent’s RN license pending a hearing on the merits of the Complaint and a determination of whether or not Respondent’s license should be disciplined. The Board also proposes that Respondent’s multistate licensure privilege to practice should be deactivated in all party states, and that Respondent should cease and desist from practicing or holding Respondent out as licensed to practice in the State of Oklahoma and in the party states with a multistate licensure privilege to practice pursuant to 75 O.S. 2021, § 314.1.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Nursing has adequate support for the conclusion that this emergency action (summary suspension) advances the State’s policy to protect public health, safety, and welfare by ensuring nurses comport themselves with the standards of professional conduct at all times, *especially* while on duty.



CHERYL DIXON
Deputy General Counsel